

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MART VAN DINE,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

3:10-cv-712-HU

ORDER

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HERNANDEZ, District Judge:

Magistrate Judge Dennis James Hubel issued a Findings and Recommendation (doc. #25) on February 27, 2012, recommending that the final decision of the Social Security Commissioner (the “Commissioner”) in connection with Plaintiff’s applications for disability insurance benefits (“DI Benefits”) under Title II of the Social Security Act (the “Act”) and for supplemental security income disability benefits (“SSI Benefits”) under Title XVI of the Act be reversed and remanded to the Commissioner for reconsideration. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record de novo. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles de novo, I find no error.

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CONCLUSION

The Court ADOPTS Magistrate Judge Hubel's Findings and Recommendation (doc. #25). Accordingly, the Commissioner's final decision in connection with Plaintiff's applications for DI Benefits and SSI Benefits is reversed and remanded to the Commissioner for reconsideration.

IT IS SO ORDERED.

DATED this 29th day of March, 2012.

/s/ Marco A. Hernandez
MARCO A. HERNANDEZ
United States District Judge